

ADMINISTRATIVE - INTERNAL USE ONLY

8 AUG 1975

MEMORANDUM FOR: The Review Staff

ATTENTION :

VIA : Acting Deputy Director for Administration

SUBJECT : Senate Select Committee Staff Request

1. The Office of Security has received the Senate Select Committee staff request forwarded by you in a memorandum dated 6 August 1975.

Elliott Maxwell of the SSC Staff requests any and all regulations pertaining to the destruction of documents.

2. We will be able to provide this information to you by 13 August 1975 as required by established guidelines.

Robert W. Gambino
Director of Security

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RECORDS AND CORRESPONDENCE

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SECTION I: RECORDS

1. RECORDS ADMINISTRATION. This paragraph provides for a continuing Agency Records Administration Program to control and improve records from their creation or receipt to their disposition, and prescribes policies and responsibilities for effectively carrying out the program.

a. **RECORD MATERIAL DEFINED.** For the purpose of this paragraph, record material is defined as: all books, papers, maps, photographs, films, recordings, or other documents and material regardless of physical form or characteristics, created or received by any part of the Central Intelligence Agency pursuant to Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by CIA or its legitimate predecessor or successor organizations as evidence of the organization, functions, policies, personnel, decisions, procedures, financial or legal transactions, operations, or other activities or because of the informational value of data contained therein. "Records" and "record material" may be used interchangeably.

b. **RECORDS ADMINISTRATION PROGRAM.** The Records Administration Program consists of the elements listed and described below:

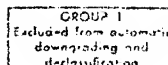
- (1) Reports Administration — The analysis, improvement, and control of administrative reporting.
- (2) Correspondence Administration — The application of improved standards and procedures for preparing and handling correspondence.
- (3) Forms Administration — The analysis, design, and control of forms.
- (4) Records Maintenance — The establishment of standard procedures, systems, equipment, and supplies for records maintenance.
- (5) Records Disposition — The economical and systematic disposition of Agency records including their preservation, retention, transfer, protection, and disposal according to approved schedules.
- (6) Vital Records Administration — The timely selection of vital records and their prompt transfer to and secure maintenance in a designated Agency repository. Vital records are records which are essential to the continued operation of the Agency in an emergency, and which, if destroyed, would constitute a serious or irreplaceable loss.

c. **POLICIES.** The Agency Records Administration Program shall be administered on a decentralized basis through programs governed by the following policies:

- (1) Records shall be made and preserved to provide adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the Agency. Such records shall be designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the Agency's activities.
- (2) Measures shall be taken to ensure that essential records are created and maintained by the most efficient and economical methods.
- (3) Measures shall be taken to ensure that nonessential records, reports, and forms are not created.
- (4) Vital records shall be identified in schedules and currently deposited in a designated Agency repository.

Revised: 25 September 1983

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RECORDS AND CORRESPONDENCE

- (5) The Agency Records Center shall be a facility for storing, processing, and servicing retired Agency records, and will serve as an Agency archival facility. The Records Center shall be compartmented and controlled in such a manner that the defense classification or sensitivity requirements of the office transmitting the records are honored.
- (6) Records control schedules shall be developed to identify and preserve records of permanent value, and to provide the basis for periodic removal of noncurrent records from office space and filing equipment to more economical storage, and destruction of records of temporary value. These schedules shall be maintained in a current status.

d. RESPONSIBILITIES

- (1) THE CIA RECORDS ADMINISTRATION OFFICER. The CIA Records Administration Officer shall:
- (a) Furnish staff guidance, assistance, and coordination of the Agency Records Administration Program.
 - (b) Provide forms analysis, design, and reference services; approve new or revised forms; and ensure that appropriate coordination of new and revised forms is effected.
 - (c) Review and approve records control schedules, vital records schedules, and requests for equipment and supplies to the extent necessary to assure compliance with Records Administration Program requirements.
 - (d) Direct the activities of the Records Center.
 - (e) Maintain Agency liaison with the National Archives and Records Service, General Services Administration, and other Federal and private organizations on records administration matters.
 - (f) Review the Records Administration Programs established in the various Operating Offices.
 - (g) Promote the Records Administration Program through training and publicity.
 - (h) Develop and maintain a system of managing administrative reports.
 - (i) Conduct research on records techniques and procedures to improve and promote efficient paperwork management practices.
- (2) THE EXECUTIVE DIRECTOR-COMPTROLLER, DEPUTY DIRECTORS, AND HEADS OF INDEPENDENT OFFICES.* The Executive Director-Comptroller, Deputy Directors, and Heads of Independent Offices shall:
- (a) Establish, direct, and maintain for their respective jurisdictions Records Administration Programs consisting of the elements outlined in subparagraph b above.
 - (b) Maintain liaison with other offices of the Agency, as required, in the performance of their records administration responsibilities.
 - (c) Designate an individual who will be responsible for the development and administration of the Records Administration Programs under their respective jurisdictions.

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Per Hq. Instruction
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*The Inspector General and the General Counsel.

(b) The formulation of policy as to the disposition of each type or series of records and its statement in the form of a records control schedule.

(c) The application of the records control schedule to effect the elimination or removal of records.

§ 101-11.401-3 Formulation of records control schedules.

The following steps shall be taken in the development of records control schedules:

(a) Each Federal agency shall compile a records control schedule for all major groups of records in its custody having importance in terms of content, bulk, or space and equipment occupied. For all Federal agencies in existence on June 30, 1964 (other than the judiciary, for which special arrangements will be made), such records control schedules shall be completed by June 30, 1965. For all Federal agencies created after June 30, 1964, such schedules shall be completed within one year after the creation of the agency.

(b) Schedules shall clearly identify and describe the series of records covered, and shall contain instructions that, when approved, can be readily applied. Schedules must be readily adaptable to use along organizational lines, so that each office will have standing instructions for the disposition of records in its custody.

(c) All schedules shall take into account the actual filing arrangements in existence, so that disposition of records can be physically accomplished in the largest blocks possible.

(d) Nonrecord materials, such as extra copies of documents preserved for convenience of reference, stocks of processed documents, preliminary worksheets, and similar papers that need not be made a matter of record, shall not be incorporated in the official files of the agency. To the maximum extent possible, material not required for record purposes shall be disposed of; it should not be sent to file. In cases where transitory files of such materials are established and maintained in filing equipment, such files shall be controlled by means of instructions in the records control schedule.

(e) Schedules shall be reviewed at least once annually to effect changes necessary to maintain their current status.

§ 101-11.401-4 Provisions of records control schedules.

Records control schedules shall provide for:

(a) The disposal after minimum retention periods of those records not having sufficient value to justify their further retention. Procedures for obtaining disposal authorization are prescribed in §§ 101-11.404 and 101-11.406.

(b) The removal to a Federal Records Center (or to an agency records center approved under the provisions of § 101-11.412) of those records which cannot be disposed of immediately but which need not be maintained in office space and equipment. Such records will be maintained by the records center pending their transfer or disposal.

(c) The retention as current records in office space and equipment of the minimum volume of records consistent with efficient operation.

§ 101-11.401-5 Application of records control schedules.

The head of each Federal agency shall take necessary action to obtain the application of records control schedules to provide for the maximum economy of space, equipment, and personnel. Two copies of each directive or other issuance (including the text of schedules as issued) affecting the agency's records disposition program at the division or higher organizational level shall be transmitted to the National Archives and Records Service upon its promulgation.

§ 101-11.402 [Reserved]

§ 101-11.403 Standards for the selective retention of records.

§ 101-11.403-1 Authority.

Section 506(a) of the Federal Records Act of 1950 (44 U.S.C. 396(a)) requires the head of each Federal agency to have "made and preserved records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency." Section 505(b) of this Act (44 U.S.C. 395(b)) directs the Administrator to establish standards for the selective retention of those records having continuing value, and to "assist Federal agencies in applying such standards to records in their custody."

§ 101-11.403-2 Records retention and disposal standards.

The following standards govern the retention and disposal of agency records:

Council, and shall advise and consult with it in a view to obtaining its advice and assistance in the purposes of this title. The Council shall include representatives of the legislative, judicial, and executive branches of the Government in such number as the Administrator shall determine, but such Council shall include at least four representatives of the legislative branch, at least two representatives of the judicial branch, and at least six representatives of the executive branch. Members of the Council representing the legislative branch shall be designated, in equal number, by the President of the Senate and the Speaker of the House of Representatives, respectively. Members of the Council representing the judicial branch shall be designated by the Chief Justice of the United States. The Administrator is authorized to designate from persons named by the head of any executive agency concerned, not more than one representative from such agency to serve as a member of the Council. Members of the Council shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties as members of the Council. The Council shall elect a chairman from among its own membership, and shall meet at least once annually.

"RECORDS MANAGEMENT; THE ADMINISTRATOR

Sec. 505. (a) The Administrator shall make provisions for the economical and efficient management of records of Federal agencies (1) by analyzing, developing, promoting, and coordinating standards, procedures, and techniques designed to improve the management of records, to insure the maintenance and security of records deemed appropriate for preservation, and to facilitate the segregation and disposal of records of temporary value, and (2) by promoting the efficient and economical utilization of space, equipment, and supplies needed for the purpose of creating, maintaining, storing, and servicing records.

(b) The Administrator shall establish standards for the selective retention of records of continuing value, and assist Federal agencies in applying such standards to records in their custody; and he shall notify the head of any Federal agency of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of such agency that shall come to his attention, and direct the head of such agency in initiating action through the Attorney General for the recovery of such records as shall have been unlawfully removed and for such other redress as may be provided by law.

(c) The Administrator is authorized to inspect or survey personally or by deputy the records of any Federal agency, as well as to make surveys of records management and records disposal practices in such agencies, and shall be given the full cooperation of officials and employees of agencies in such inspections and surveys: *Provided*, That records, the use of which is restricted by or pursuant to law or for reasons of national security or the public interest, shall be inspected or surveyed in accordance with regulations promulgated by the Administrator, subject to the approval of the head of the custodial agency.

(d) The Administrator is authorized to establish, maintain, and operate records centers for the storage, processing, and servicing of

microfilming services for Federal agencies.

(e) Subject to applicable provisions of law, the Administrator shall promulgate regulations governing the transfer of records from the custody of one executive agency to that of another.

(f) The Administrator may empower any Federal agency, upon the submission of evidence of need therefor, to retain records for a longer period than that specified in disposal schedules approved by Congress, and, in accordance with regulations promulgated by him, may withdraw disposal authorizations covering records listed in disposal schedules approved by Congress.

"RECORDS MANAGEMENT; AGENCY HEADS

"Sec. 506. (a) The head of each Federal agency shall cause to be made and preserved records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

(b) The head of each Federal agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. Such program shall, among other things, provide for (1) effective controls over the creation, maintenance, and use of records in the conduct of current business; (2) cooperation with the Administrator in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value; and (3) compliance with the provisions of this title and the regulations issued thereunder.

(c) Whenever the head of a Federal agency determines that substantial economies or increased operating efficiency can be effected thereby, he shall provide for the storage, processing, and servicing of records that are appropriate therefor in a records center maintained and operated by the Administrator or, when approved by the Administrator, in such a center maintained and operated by the head of such Federal agency.

(d) Any official of the Government who is authorized to certify to facts on the basis of records in his custody, is hereby authorized to certify to facts on the basis of records that have been transferred by him or his predecessors to the Administrator.

(e) The head of each Federal agency shall establish such safeguards against the removal or loss of records as he shall determine to be necessary and as may be required by regulations of the Administrator. Such safeguards shall include making it known to all officials and employees of the agency (1) that no records in the custody of the agency are to be alienated or destroyed except in accordance with the provisions of the Act approved July 7, 1943 (57 Stat. 380-383), as amended July 6, 1945 (59 Stat. 434), and (2) the penalties

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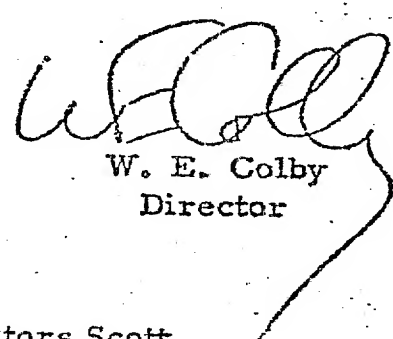
Executive Registry

28 January 1975

MEMORANDUM FOR: See Distribution

SUBJECT : Retention of Materials that May Be Related
to the S. Res. 21 Investigation

Pursuant to the attached request, it is directed that you take the necessary steps to ensure compliance. You will convey instructions to all subordinate components or offices within your jurisdiction to ensure that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed or removed from our possession or control.


W. E. Colby
Director

Attachments:

Letter dated 27 January 1975 from Senators Scott and Mansfield with enclosure (S. Res. 21)

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